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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA for the use
and benefit of CASAS CONSTRUCTION,

Plaintiff,

vs.

SIERRA RANGE CONSTRUCTION, a
California corporation; PHILADELPHIA
INDEMNITY INSURANCE COMPANY,
AND DOES I through V, inclusive,

Defendants.

Case No.: 2:21-CV-00573-RFB-DJA

**STIPULATION AND ORDER TO
EXTEND DEADLINE FOR JOINT
PRETRIAL ORDER (First Request)**

SIERRA RANGE CONSTRUCTION, a
California corporation;

Cross-Claimant,

vs.

CASAS CONSTRUCTION, a Nevada
corporation; DANIEL J. CASAS, an individual,
and ROES 1 through 5, inclusive;

Cross-Defendants.

CASAS CONSTRUCTION and DANIEL J. CASAS, (jointly referred to as “Casas Construction”) by and through their counsel of record, Gwen Rutar Mullins, Esq., of the law firm of HOWARD & HOWARD ATTORNEYS PLLC, and SIERRA RANGE CONSTRUCTION (“Sierra Range”) and PHILADELPHIA INDEMNITY INSURANCE COMPANY (“PIIC”), by and through their attorneys of record, William J. Braun, Esq. of the law firm of BRAUN & MELUCCI, LLP and Steven L. Yarmy, Esq. of the LAW OFFICES OF STEVEN L. YARMY hereby submit this Stipulation and Order to Extend Time Joint Pretrial Order Deadline (First Request). This is the first request for extension of time concerning in this case. Pursuant to the Scheduling Order [ECF No. No. 14] entered by the Court on June 11, 2021, the following was stated:

(7) PRE-TRIAL ORDER:

If no dispositive motions are filed, and unless otherwise ordered by this Court, the Joint Pretrial Order shall be filed no more than thirty (30) days after the date set for filing dispositive motions, and there for no later than Friday, May 6, 2022. **If dispositive motions are filed, the deadline for filing the Joint Pretrial Order shall be suspended until thirty (30) days after the decision on the dispositive motion or further order form this Court.**

Emphasis Added.

The Court entered an Order [ECF No. 67] which DENIED Plaintiffs’ Motion for Partial Summary Judgment [ECF No. No. 39] and an Order which GRANTED in part and DENIED in Part Defendants’ PIIC and Sierra’s Motion for Summary Judgment [ECF No. No. 40] on March 31, 2024. Therefore, pursuant to the Scheduling Order [ECF No. 14], the deadline to file the Joint Pretrial Order would be Tuesday, April 30, 2024.

Good cause exists to extend the deadlines for the Joint Pretrial Order. The extension is being requested in view of the that Casas Construction’s Motion for Partial Summary Judgment was denied and Defendant Sierra and PIIC’s Motion for Summary Judgment was denied in part and granted in part. The parties are in the process of reviewing and culling over 10,000 pages of documents produced in discovery along with reviewing deposition transcriptions, potential exhibits, and potential witnesses. While those efforts have been productive, additional time is necessary due to the significant amount of work involved to ensure a complete list is provided

to the Court. Further, Plaintiffs' counsel has been preparing and attending various state court hearings in April 2024 that required significant amount of time on those matter as well as working on dispositive motion that will need to be filed at the end of this month for another matter in the Eighth Judicial District Court.

PROPOSED JOINT PRE-TRIAL ORDER DEADLINE

For the foregoing reasons, good cause exists to extend the deadlines set forth herein. Accordingly, the parties stipulate and agree to amend the Discovery Plan and the Scheduling Order as set forth herein and further agree to the following proposed new deadline:

Joint Pretrial Order: **May 30, 2024**

As set forth herein, this Stipulation is supported by good cause and is not made for purposes of delay.

Dated this 24th day of April, 2024.

HOWARD & HOWARD ATTORNEYS PLLC BRAUN & MELUCCI, LLP

/s/ Gwen Rutar Mullins

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ORDER

This Court, having reviewed and considered the Stipulation by the parties, and Good Cause Appearing therefore, the Joint Pretrial Order deadline will be extended as agreed to by the parties as follows:

Joint Pretrial Order May 30, 2024

IT IS SO ORDERED.

DATED this 26 day of April, 2024.


UNITED STATES MAGISTRATE JUDGE

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